
Subject: Confidentiality of WIC Program Information

Effective Date: October 1, 2004

Revised from:

Policy: The WIC Program shall restrict the use or disclosure of information obtained from program applicants and clients to:

1. persons directly connected with the administration or enforcement of the program, including persons investigating or prosecuting violations in the WIC Program under federal, state or local authority; or
2. as designated by the State WIC director, representatives of public organizations that administer health or welfare programs, which serve persons categorically eligible for the WIC Program. The State WIC Agency shall execute a written agreement with each such designated organization that;
 - a. specifies that the receiving organization may use WIC Program information only for the purpose of establishing the eligibility of WIC clients for the health or welfare programs that it administers and conducts outreach to WIC clients for such programs; and
 - b. contains the receiving organization's assurance that it will not, in turn, disclose the information to a third party.

Food & Nutrition Services (FNS) of USDA reserves the right to use information obtained under the Program in a summary, statistical or other form that does not identify particular individuals.

FNS may require the State WIC Agency, Local Agencies or Clinics to supply medical data and other information collected under the Program in a form that does not identify particular individuals, to enable USDA or the State WIC Agency to evaluate the effect of food intervention upon low-income individuals determined to be at nutritional risk.

Reference: CFR §246.7 (i)(10) and (11) and §246.26

Procedure: To comply with confidentiality procedure, each Local Agency or Clinic shall:

1. to the extent possible given structural limitations, provide privacy to each client when determining program eligibility and when providing nutrition counseling;
2. not provide a client's information, i.e., address, telephone number, etc., to anyone, including a vendor who wishes to contact a client who has failed to sign a WIC check that the vendor accepts. Refer to the Vendor Procedures Manual for additional information regarding WIC checks;
3. ensure that individual confidentiality is maintained if WIC Program information is released to the public or other agencies, which includes;
 - a. receiving each client's written consent before allowing another agency or organization to contact clients or to receive any information about the clients. The release of information statement that appears on the Rights and Responsibilities form states: "My WIC records may be released to the MCH, School Health, Family Planning, Statewide Farmworkers Health

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Program, Maternal and Infant, Healthy Start/Home Visitor, Immunizations, Children with Special Health Care Needs, Infant Toddler, Kansas Childhood Lead Poisoning Prevention Program, Head Start, Health Wave, other WIC, CSF, TAF, Food Stamp, Medicaid, KAN-Be-Healthy (EPSDT), and EFNEP Programs to determine eligibility for these programs or conduct outreach;”

- b. removing all identifiers such as, name, address, phone, birth date, etc., when another agency or organization requests general WIC data; and
- c. obtaining the client's written permission to release information to any program or person that is not listed in the Rights and Responsibilities.